

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

LUCINDA A. KLUTH,	)	
	)	No. CV-10-3063-CI
Plaintiff,	)	
	)	
v.	)	ORDER GRANTING STIPULATED
	)	MOTION TO REMAND PURSUANT TO
MICHAEL J. ASTRUE,	)	SENTENCE FOUR OF 42 U.S.C.
Commissioner of Social	)	§ 405(g)
Security,	)	
	)	
Defendant.	)	

BEFORE THE COURT is the parties' stipulated Motion to Remand the above-captioned matter to the Commissioner for additional administrative proceedings. (ECF No. 22.) Attorney Thomas A. Bothwell represents Plaintiff Lucinda A. Kluth; Special Assistant United States Attorney Jessica Milano represents Defendant. The parties have consented to proceed before a magistrate judge. (ECF No. 6.) After considering the stipulation of the parties,

**IT IS ORDERED:**

1. The parties' stipulated Motion to Remand (**ECF No. 22**) is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g), including but not limited to the following actions:

On remand, the Appeals Council will assign this case to an administrative law judge (ALJ) to further assess the physical and mental demands of Plaintiff's past relevant work as actually and

1 generally performed. The ALJ shall include such findings in a new  
2 decision and determine whether Plaintiff can perform her past  
3 relevant work based on the findings. If the ALJ finds that  
4 Plaintiff is unable to perform her past relevant work, the ALJ will  
5 make findings as to whether she can perform other jobs, and whether  
6 such jobs exist in significant numbers. The ALJ will also be  
7 instructed to clarify the residual functional capacity finding in  
8 terms of Plaintiff's ability to lift, sit, stand, and walk.  
9 Plaintiff will be offered an opportunity for a hearing and an  
10 opportunity to submit additional evidence. The ALJ should obtain  
11 supplemental evidence from a vocational expert.

12 2. Judgment shall be entered for the **PLAINTIFF**.

13 3. Plaintiff's Motion for Summary Judgment (**ECF No. 15**) is  
14 stricken as moot.

15 4. An application for attorney fees may be filed by separate  
16 motion.

17 The District Court Executive is directed to enter this Order,  
18 forward copies to counsel, and thereafter shall close this file.

19 DATED December 21, 2011.

20  
21 S/ CYNTHIA IMBROGNO  
22 UNITED STATES MAGISTRATE JUDGE  
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